

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN**

ROBERT JEREMY HORTON, individually  
and on behalf of all others similarly situated,

Plaintiffs,

v.

GAMESTOP, INC. and SUNRISE  
PUBLICATIONS, INC.,

Defendants.

Civil Action No. 1:18cv00596-GJQ-PJG

HON. GORDON J. QUIST

**JOINT STIPULATION TO PERMIT  
PLAINTIFF TO FILE FIRST AMENDED  
CLASS ACTION COMPLAINT AND TO  
SET RELEATED DEADLINES**

Plaintiff Robert Jeremy Horton (“Plaintiff”) and Defendants GameStop, Inc.  
 (“GameStop”) and Sunrise Publications, Inc. (“Sunrise”) (collectively, “Defendants”), by and  
through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, on May 29, 2018, Plaintiff filed his Class Action Complaint [Dkt. No. 1];

WHEREAS, on July 25, 2018, Defendants filed a motion to dismiss the complaint [Dkt.  
No. 8];

WHEREAS, on September 28, 2018, the Court issued an order denying Defendant’s  
motion to dismiss and making Defendants’ deadline to file its answer October 12, 2018 [Dkt. No.  
18];

WHEREAS, on February 14, 2019, the Court issued a Case Management Order in which  
it set April 15, 2019 as the deadline for Defendants to file a “motion for summary judgment as to  
the individual claims of Plaintiff” and limited Plaintiff’s discovery to “information pertaining to  
[Plaintiff’s] own standing and his own claims and shall not include class-wide discovery” [Dkt.  
No. 32];

WHEREAS, since then, the Parties have conducted discovery consistent with the Court's Case Management Order;

WHEREAS, recently, Plaintiff has informed Defendants that he intends to amend his complaint to add three new named plaintiffs, who believe they are members of the putative class as defined in the Class Action Complaint [Dkt. No. 1];

WHEREAS, Plaintiff provided Defendants with a draft of the proposed First Amended Class Action Complaint and asked whether Defendants would stipulate to the amendment or whether Plaintiff would need to file a contested motion to amend;

WHEREAS, on April 12, 2019, the Parties filed a stipulation with this Court asking it to vacate Defendants' April 15, 2019 deadline to file their motion for summary judgment in order to allow Defendants to determine their response to Plaintiff's desire to file the proposed First Amended Class Action Complaint;

WHEREAS, on April 15, 2019, the Court granted the Parties' stipulation and vacated Defendants' April 15, 2019 deadline to file their motion for summary judgment;

WHEREAS, Defendants have reviewed Plaintiff's proposed First Amended Class Action Complaint and have agreed to stipulate to allow Plaintiff to file the proposed First Amended Class Action Complaint, subject to the terms of the February 14, 2019 Case Management Order;

WHEREAS, the Parties have also met and conferred on additional deadlines and have agreed to the following:

1. Within five (5) calendar days of the Court granting this Stipulation, Plaintiff shall file his proposed First Amended Class Action Complaint;
2. Within 15 calendar days of Plaintiff filing his proposed First Amended Class Action Complaint, Defendants' shall file their responsive pleading;

3. Within 30 days of Defendants' filing their responsive pleading, Defendants will supplement their previously served discovery responses to account for the newly added plaintiffs subject to the discovery limitations set forth by this Court in the Case Management Conference; and
4. Within 45 days of Defendants supplementing their discovery responses, Defendants shall file their motion for summary judgment.

WHEREFORE, based on the above, the Parties request that the Court permit Plaintiff to file his proposed amended complaint and order as follows:

1. Within five (5) calendar days of the Court granting this Stipulation, Plaintiff shall file his proposed First Amended Class Action Complaint;
2. Within 15 calendar days of Plaintiff filing his proposed First Amended Class Action Complaint, Defendants' shall file their responsive pleading;
3. Within 30 days of Defendants' filing their responsive pleading, Defendants will supplement their previously served discovery responses to account for the newly added plaintiffs subject to the discovery limitations set forth by this Court in the Case Management Conference; and
4. Within 45 days of Defendants supplementing their discovery responses, Defendants shall file their motion for summary judgment.

**IT IS SO STIPULATED.**

Dated: April 24, 2019

Respectfully submitted,

By: s/ Casie D. Collignon

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